Lawyer for city says lesbians' suit 'frivolous'

By ED SEALOVER
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An attorney for the city of Colorado Springs asked a judge Monday to throw out a lawsuit filed by two lesbian couples, calling it "frivolous and groundless."

Deputy City Attorney Stacy Rouse responded to a suit filed in February after the City Council's 2003 decision to revoke health benefits for same-sex partners of city employees.

The suit, filed by two employees and their partners, claimed the city violated their right to equal protection by removing a benefit available to heterosexual couples. It also said the city imposed its religious beliefs when some council members called the issue a religious matter.

The couples seek a resumption of same-sex benefits and compensation for economic and emotional damages.

Rouse wrote that the city acted in a rational basis related to a legitimate government interest. It did not treat the two couples different than other couples affected by the decision, she wrote.

The lawsuit should be dismissed, Rouse said, because the city's conduct "even when viewed in a light most favorable to the Plaintiff, does not shock the conscience of a reasonable person."

No date has been set for a judge to rule on the response.

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